

BRENDAN MCCARTHY
Assistant U.S. Attorney
U.S. Attorney's Office
James F. Battin U.S. Courthouse
2601 Second Ave. North, Suite 3200
Billings, MT 59101
Phone: (406) 657-6101
E-mail: Brendan.McCarthy@usdoj.gov

FILED

MAY 20 2021

Clerk, US District Court
District of Montana - Billings

jdh

ERIC PEFFLEY
Trial Attorney
Criminal Section
Civil Rights Division
United States Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530
Phone (202) 616-2611
E-mail: Eric.Peffley@usdoj.gov

**ATTORNEYS FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. JOHN RUSSELL HOWALD, Defendant.	CR 21- 04 -H-BMM INDICTMENT HATE CRIME ACTS (Count I) Title 18 U.S.C. § 249(a)(2) (Penalty: Life imprisonment, \$250,000 fine, and five years of supervised release)
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	DISCHARGE OF FIREARM DURING AND IN RELATION TO A CRIME OF VIOLENCE (Count II) Title 18 U.S.C. § 924(c)(1)(A) (Penalty: Mandatory minimum ten years to life imprisonment, consecutive to any other sentence, \$250,000 fine, and five years supervised release.) CRIMINAL FORFEITURE Title 18 U.S.C. § 924(d)
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THE GRAND JURY CHARGES:

COUNT I

That on or about March 22, 2020, at Basin and within Jefferson County, in the State and District of Montana, the defendant, JOHN RUSSELL HOWALD, attempted to cause bodily injury to Individual 1, through the use of a firearm and dangerous weapon that had traveled in interstate and foreign commerce, because of the actual and perceived sexual orientation of any person; specifically, the defendant, JOHN RUSSELL HOWALD, discharged ammunition through a firearm into Individual 1's house and then stated that he wanted to "get rid of the lesbians [and] gays," the offense included an attempt to kill Individual 1, in violation of 18 U.S.C. § 249(a)(2).

COUNT II

That on or about March 22, 2020, at Basin and within Jefferson County, in the State and District of Montana, the defendant, JOHN RUSSELL HOWALD,

knowingly used, carried, brandished, and discharged a firearm, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, to wit: a violation of 18 U.S.C. § 249(a)(2), the offense that is charged in Count I of this Indictment and is hereby incorporated by reference, in violation of 18 U.S.C. § 924(c)(1)(A).

FORFEITURE ALLEGATION

If convicted of either offense charged in this indictment, the defendant, JOHN RUSSELL HOWALD, shall forfeit, pursuant to 18 U.S.C. § 924(d), any firearms and ammunition involved in any knowing violation of said offense.

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

FOREPERSON



LEIF M. JOHNSON
Acting United States Attorney



PAMELA S. KARLAN
Principal Deputy Assistant Attorney
General



JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney

Crim. Summons _____

Warrant: State custody

Bail: _____